

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: 1776.01
COMPLAINT INVESTIGATOR: Jane Taylor-Holmes
DATE OF COMPLAINT: June 8, 2001
DATE OF REPORT: July 2, 2001
REQUEST FOR RECONSIDERATION: no
DATE OF CLOSURE: September 18, 2001

COMPLAINT ISSUES:

Whether the New Castle Community School Corporation and the New Castle Area Programs for Exceptional Children violated:

511 IAC 7-27-5(c) with regard to the school's alleged failure to provide the parent with a copy of the *case conference committee* (the "CCC") *report* and *individualized education program* (the "IEP") within ten business days of the date of the CCC meeting in May 2001.

FINDINGS OF FACT:

1. The student (the "Student") is twelve years old and completed the fifth grade at an elementary school outside the Student's local education agency (the "LEA") during the 2000-01 school year. The Student is eligible for special education and related services as a student with multiple disabilities.
2. The Student's annual case review (the "ACR") was conducted on May 22, 2001. An *IEP* was written for the Student for the 2001-02 school year during this CCC meeting.
3. As of June 8, 2001, the date that this complaint was filed, the complainant (the "Complainant") had not received a copy of the report of the CCC meeting, or a copy of the Student's new *IEP*. The Complainant subsequently received a copy of the *CC Summary* and *IEP* on June 23, 2001.
4. The local director of special education (the "Director") acknowledged that the school exceeded the ten business day timeline for providing the Complainant a copy of the *CC Summary* and *IEP*.
5. The Director reported that this issue will be addressed at a fall inservice training as part of the school's continuous improvement monitoring (the "CIM").

CONCLUSION:

1. Findings of Fact #2, #3, and #4 indicate that the Complainant did not receive a copy of the *CC Summary* and *IEP* within ten business days of the meeting. Finding of Fact #5 reflects that the Director has indicated that this issue will be addressed during a fall inservice training. A violation of 511 IAC 7-27-5(c) occurred.

The Department of Education, Division of Special Education requires corrective action based on

the Findings of Fact and Conclusions listed above.

CORRECTIVE ACTION:

The New Castle Community School Corporation and the New Castle Area Programs for Exceptional Children shall:

1. include in the fall 2001 inservice training activities the requirement to provide parents a copy of the *CC Summary* and *IEP* within ten business days of the meeting. A copy of the inservice training agenda, copies of any materials presented, and a sign-in sheet of all attendees by name and title shall be submitted to the Division no later than September 7, 2001.

DATE REPORT COMPLETED: July 2, 2001